

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

42390P13873

First Named Inventor: Howard S. David

Application No.: 10/039,596

Art Unit: 2185

Filed: December 31, 2001

Examiner: Li, Zhuo H.

Title: Distributed Memory Module Cache Writeback

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$1540.00 (37 CFR 1.17(m)).

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office Action in the form of _(identify type of reply: _____) has been filed previously on _____ is enclosed herewith.
- B. The issue fee and publication fee (if required) of _____ has been paid previously on _____.
- ☒ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$65 for a small entity or \$130 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identify theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the document before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

11/9/07

Date

Telephone

Number: (310) 207-3800

Blakely, Sokoloff, Taylor & Zafman LLP
1279 Oakmead Parkway
Sunnyvale, CA 94085-4040

Signature

Joseph Lutz, Reg. No. 43,765

Typed or printed name & Registration No.

- Enclosures: ☒ Fee Payment
☐ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unintentional delay
☐ Other:

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ transmitted by EFS-Web on the date shown below to the United States Patent and Trademark Office.

11/9/07

Date

Signature

Elaine Kwak

Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Howard S. David Application No.: 10/039,596 Filed: December 31, 2001 For: DISTRIBUTED MEMORY MODULE CACHE WRITEBACK	Examiner: Li, Zhuo H. Art Group: 2185 Conf. No.: 2205
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DECLARATION OF JOSEPH LUTZ IN SUPPORT OF PETITION FOR REVIVAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Joseph Lutz, declare that:

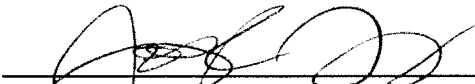
1. I am the attorney of record for the above-identified application.
2. A Notice of Allowance was mailed on April 10, 2007. A Corrected Notice of Allowance was mailed on June 19, 2007. The internal docketing system used by the undersigned has no record of receiving either communication from the U.S. Patent and Trademark Office. Applicant failed to pay the issue and publication fees only because the Applicant was unaware that a Notice of Allowance was issued in the subject application.
3. I declare, to the best of my knowledge, that all statements made in this document are true, and that all statements made on information are believed to be true; and further, that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under § 1001 of title 18 of the United States Code and that such

willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 11/8/07

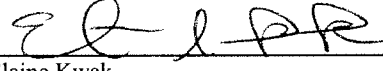


Joseph Lutz, Reg. No. 43,765

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
Telephone (310) 207-3800
Facsimile (408) 720-8383

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.



Elaine Kwak

11/9/07
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Howard S. David Application No.: 010/039,596 Filed: December 31, 2001 For: DISTRIBUTED MEMORY MODULE CACHE WRITEBACK	Examiner: Li, Zhuo H. Art Group: 2185 Conf. No.: 2205
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DECLARATION OF IN CHUNG IN SUPPORT OF PETITION FOR REVIVAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, In Chung, declare that:


1. I am an employee of Blakely, Sokoloff, Taylor & Zafman LLP.
2. I am responsible for payment of issue and publication fees in connection with allowed patent applications owned by Intel Corporation.
3. A Notice of Allowance was mailed on April 10, 2007. A Corrected Notice of Allowance was mailed on June 19, 2007. The internal docketing system used by the undersigned has no record of receiving either communication from the U.S. Patent and Trademark Office. Applicant failed to pay the issue and publication fees only because the Applicant was unaware that a Notice of Allowance was issued in the subject application.
4. I declare, to the best of my knowledge, that all statements made in this document are true, and that all statements made on information are believed to be true; and further, that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under § 1001 of title 18 of the United States Code and that such

willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


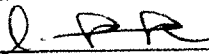
Dated: 11/8/07


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Elaine Kwak

11/9/07
Date